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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

22 | UNITED STATES OF AMERICA, et al.,
Plaintiffs,

CASE NO. CV 90 3122-R

24 MONTROSE CHEMICAL CORPORATION
25 OF CALIFORNIA, et al.,
Defendants.

**NOTICE OF JOINDER AND JOINDER OF
PLAINTIFFS' REQUEST TO ENTER
PARTIAL CONSENT DECREE**

Judge: Hon. Manuel L. Real

26 AND RELATED COUNTERCLAIMS,
27 CROSS-CLAIMS AND THIRD-PARTY
ACTIONS

1 **TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

2 **PLEASE TAKE NOTICE THAT** Montrose Chemical Corporation of California
3 (“Montrose”), Bayer CropScience Inc., News Publishing Australia Limited, and Stauffer
4 Management Company LLC (the “Settling Defendants”) hereby join the Request to Enter Partial
5 Consent Decree, filed by Plaintiffs, the United States of America, on August 20, 2012.

6 As set forth in Plaintiffs’ Request for Entry, it is appropriate to enter the Partial Consent
7 Decree because the Partial Consent Decree is procedurally and substantively fair, reasonable, and
8 consistent with the goals of CERCLA. *See United States v. Acorn Eng’g Co.*, 221 F.R.D. 530,
9 539 (C.D. Cal. 2004). Further, in order to begin construction of this important environmental
10 remediation project in a timely manner, and to take advantage of the parties’ progress in
11 resolving groundwater disputes, **Settling Defendants respectfully urge this Court to enter the**
12 **Partial Consent Decree before August 31, 2012.**

13 In order to keep the Court apprised of the parties’ continuing progress in this case,
14 Montrose and Plaintiffs will continue to submit status conference reports to the Special Master
15 regarding any material developments, as required by the Court’s February 17, 2012 Order.

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Respectfully submitted,

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Dated: August 21, 2012

LATHAM & WATKINS LLP

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/ s / Karl S. Lytz

Karl S. Lytz

Attorney for Defendant

Montrose Chemical Corporation of California

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Dated: August 21, 2012

MCCARTER & ENGLISH, LLP

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/ s / J. Wylie Donald

J. Wylie Donald

Attorney for Defendant

Stauffer Management Company LLC

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1 Dated: August 21, 2012

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3 / s / Peter Simshauser

4 Peter Simshauser

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PROOF OF SERVICE

I am employed in the County of San Diego, State of California. I am over the age of 18 years and not a party to this action. My business address is Latham & Watkins LLP, 600 West Broadway, Suite 1800, San Diego, CA 92101-3375.

On August 21, 2012, I served the following documents described as:

**NOTICE OF JOINDER AND JOINDER OF PLAINTIFFS' REQUEST TO ENTER
PARTIAL CONSENT DECREE**

by serving true copies of the above-described documents in the following manner:

BY ELECTRONIC FILING

I am familiar with the United States District Court, Central District of California's practice for collecting and processing electronic filings. Under that practice, documents are electronically filed with the court. The court's CM/ECF system will generate a Notice of Electronic Filing (NEF) to the filing party, the assigned judge, and any registered users in the case. The NEF will constitute service of the document. Registration as a CM/ECF user constitutes consent to electronic service through the court's transmission facilities. The CM/ECF users that were served under said practice are identified below.

BY U.S. MAIL

I am familiar with the office practice of Latham & Watkins LLP for collecting and processing documents for mailing with the United States Postal Service. Under that practice, documents are deposited with the Latham & Watkins LLP personnel responsible for depositing documents with the United States Postal Service; such documents are delivered to the United States Postal Service on that same day in the ordinary course of business, with postage thereon fully prepaid. I deposited in Latham & Watkins LLP' interoffice mail a sealed envelope or package containing the above-described document and addressed as set forth below in accordance with the office practice of Latham & Watkins LLP for collecting and processing documents for mailing with the United States Postal Service:

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I declare that I am employed in the office of a member of the Bar of, or permitted
to practice before, this Court at whose direction the service was made and declare under penalty
of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 21, 2012, at San Diego, California.

Lauren M. Luhmann